

Lockridge Grindal Nauen, P.L.L.P.

Federal Relations Group

Aviation Policy Update

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MINNEAPOLIS CITY COUNCIL
JUNE 27TH, 2013

Federal Aviation Policy Overview

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- In February, 2012, Congress passed the ***FAA Modernization and Reform Act of 2012***.
- \$15.9 billion annually for the FAA from Fiscal Years 2011-2015.
- \$13.4 billion over the four years was authorized for the Airport Improvement Program (AIP), which provides grants for the planning and development of public airports.
 - ✦ AIP funding is used for many programs that impact communities, such as sound insulation programs and other noise mitigation tools.

RNAV Implementation National Policy/Perspective

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Congressional Directives Included in the Bill:

- Before June 30, 2015, 100 percent of major U.S. Airports should have RNAV implemented
- Categorical Exclusion (CATEX-2) Language:
 - ✦ Section 213(c)(2) of the law directs the FAA to categorically exclude from environmental review any *Required Navigation Performance* (RNP) and other performance-based navigation (PBN) procedures that would result in measurable reductions in fuel consumption, carbon dioxide emissions, and noise, ***on a per flight basis***, as compared to aircraft operations that follow existing instrument flight rules procedures ***in the same airspace***.

RNAV Implementation

National Policy/Perspective Continued...

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- Minneapolis Advocacy on CATEX 2 Language
 - ✦ Advocacy on original language
 - ✦ Washington and Local Meetings with Congressional Delegation and White House Staff
 - ✦ Formal Correspondence and Response
 - ✦ CATEX 2 Task Group
 - Purpose and Outcomes

RNAV Implementation

Minneapolis/Local Perspective

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- Compressed Time Frame Given to MSP Community Stakeholders
- Successful Minneapolis Advocacy:
 - ✦ Communities
 - ✦ Legislature
 - ✦ Congress
 - ✦ MAC
- Knowledge base and benefit of Airport Working Group
- Other localities nation-wide and outcomes

FAA Sound Insulation Program-Public Guidance Letter (PGL)

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- A Part 150 Study is a noise master plan developed by the Airport Operator or Sponsor and Communities in a public process. One outcome or tool of a Part 150 is a noise or sound insulation program.
- Insulation programs historically mitigate within the 65 DNL noise contour.
- Regulations impacting sound insulation programs are included in the Airport Improvement Program (AIP) Handbook.
- Public Guidance Letter (PGL):
 - A PGL was issued to change the AIP handbook in August, 2012 and amended in November, 2012. The new regulations now require :
 - ✦ Property must be in the 65 contour and
 - ✦ Second, the property must meet an interior noise level requirement (45 dB or greater) in order to be eligible for mitigation.
 - Additionally, use of Passenger Facility Chargers (PFC's)—the airport's own money—is no longer considered eligible to be used to mitigate beyond the stated criteria.

FAA Sound Insulation PGL Continued...

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Minneapolis Advocacy:

- Consent Decree
- Public Comment
- Engagement with Congressional Delegation
- Work with Airports Council and Sound Insulation Stakeholders
- Other Cities were not aware

Minneapolis National/Federal Involvement

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- N.O.I.S.E.
- PARTNER
- ARAC
- CATEX 2 Task Group

Questions?

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